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031122-000012.TJC.449088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Wasynczuk et al.)
Serial No. 10/043,981)
Filed January 11, 2002)
CIRCUIT SIMULATION)

Before the Examiner
David Silver

Group Art Unit 2128

March 2, 2007

CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being directed to the Commissioner of Patents via facsimile to the Examiner of record at 571-273-8300 on <u>March 5, 2007</u> Troy J. Cole Name of Registered Representative <u>Troy J. Cole</u> Signature <u>March 5, 2007</u> Date of Signature

AFFIDAVIT OF TROY J. COLE

I, Troy J. Cole, the undersigned Declarant, hereby declare as follows:

1. I am an attorney registered to practice before the United States Patent and Trademark Office. My registration number is 35,102.
2. I am a partner in the partnership of Woodard, Emhardt, Moriarty, McNett & Henry LLP and am currently responsible for the prosecution of the above-referenced application.
3. I have reviewed the 24 page preview of a published doctoral dissertation entitled "A State Selection Algorithm for the Automated State Model Generator" by Juri V. Jatskevich (hereinafter "the Jatskevich Dissertation") published by UMI ProQuest Digital Dissertations under publication number 3018454.
4. Although the published Jatskevich Dissertation indicates on page 2 of the publication that it was approved on July 26, 1999, it is clearly marked directly below this date with the statement "This thesis is to be regarded as confidential."
5. My law firm inquired of publisher ProQuest when they published the Jatskevich Dissertation.

6. Attached as Exhibit A hereto is a true and correct copy of the response letter my law firm received from ProQuest, stating that the Jatskevich Dissertation was received by ProQuest on September 14, 2001 and that the publication process was completed on November 1, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 or Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: _____

Troy J. Cole

Date: March 2, 2007



January 3, 2007

Lisa Barberio
Woodard, Emhardt, Moriarty, McNett & Henry LLP
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137

Re: Juri V. Jatskevich
Publication number 3018454

Dear Ms. Barberio,

Dr. Jatskevich's dissertation was received September 14, 2001 and the publication process was completed November 1, 2001.

His abstract is published in *Dissertation Abstracts International*, Volume 62 Issue 06B which was printed December 2001.

If I can be of further assistance, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Gwen Morse".

Gwen Morse
Supervisor, Author/School Relations